REMARKS

In the Office Action, dated November 13, 2007, the Examiner rejects claims 1, 2, 5-9, 18-21, 24-28, 30-34, and 36-41 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,990,633 to Miyasaka et al. (hereinafter "MIYASAKA") in view of U.S. Patent No. 6,643,661 to Polizzi et al. (hereinafter "POLIZZI"); rejects claims 3, 4, 22, and 23 under 35 U.S.C. § 103(a) as allegedly being unpatentable over MIYASAKA in view of POLIZZI and further in view of U.S. Patent Application Publication No. 2002/0103809 to Starzl et al. (hereinafter "STARZL"); and rejects claim 35 under 35 U.S.C. § 103(a) as allegedly being unpatentable over MIYASAKA in view of POLIZZI and further in view of U.S. Patent Application Publication No. 2005/0027666 to Beck et al. (hereinafter "BECK"). Applicants respectfully traverse these rejections.[1]

By way of the present amendment, Applicants amend claims 19, 30, 33, 36, 39, and 41 to improve form and cancel claims 1-9, 18, 31, 32, 37, 38, and 40 without prejudice and disclaimer. No new matter is being added by way of the present amendment. Claims 19-28, 30, 33-36, 39, and 41 are pending.

Pending claims 19-21, 24-28, 30, 33, 34, 36, 39, and 41 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over MIYASAKA in view of POLIZZI. Applicants respectfully traverse this rejection.

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[1] As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

Amended independent claim 19 is directed to a method that includes permitting multiple users to access, via a network, first news content contained in one or more news documents stored at a document server, sending query data, in response to a portion of the first news content being accessed by at least one of the multiple users, from the document server across at least a portion of the network to a news server that is operable to crawl and aggregate news content from a plurality of news sources, receiving second news content, via the network, at the document server from the news server based on the query data, incorporating the second news content into the one or more news documents, and permitting the multiple users to access, via the network, the second news content at the document server, where the document server and the news server comprise different network devices that are connected to the network. MIYASAKA and POLIZZI, whether taken alone or in any reasonable combination, do not disclose or suggest this combination of features.

For example, MIYASAKA and POLIZZI do not disclose or suggest permitting multiple users to access, via a network, second news content at a document server (where the second news content was received from a news server based on query data that was sent in response to a portion of first news content being accessed), as recited in amended claim 19. The Examiner relies on Fig. 3 and col. 3, line 67 to col. 4, line 2 of MIYASAKA for allegedly disclosing this feature (Office Action, p. 6). Applicants submit that this section, or any other section, of MIYASAKA does not disclose or suggest the above feature of claim 19.

Col. 4, lines 31-37 of MIYASAKA describe Fig. 3 of MIYASAKA. This section of MIYASAKA discloses that news server 5 obtains documents by subscription through

network 1 from content provider 4 and stores these documents in database 44. News

server 5 may also obtain content from databases or other repositories. This section of

MIYASAKA does not disclose or suggest that multiple users may access news.

MIYASAKA only discloses an individual recipient and providing content based on that

individual's preferences. Therefore, this section of MIYASAKA cannot disclose or

suggest permitting multiple users to access, via a network, second news content at a

document server (where the second news content was received from a news server based

on query data that was sent in response to a portion of first news content being accessed),

as recited in amended claim 19.

Col. 3, line 67 to col. 4, line 2 of MIYASAKA disclose:

Step 56 generates a representation of the content of these selected documents in a format or layout specified in the recipient's profile. (emphasis added)

This section of MIYASAKA only discloses a single recipient. This section of

MIYASAKA does not disclose or suggest that multiple users may access news.

Therefore, this section of MIYASAKA cannot disclose or suggest permitting multiple

users to access, via a network, second news content at a document server (where the

second news content was received from a news server based on query data that was sent

in response to a portion of first news content being accessed), as recited in amended

claim 19.

Furthermore, MIYASAKA and POLIZZI do not disclose or suggest sending

query data, in response to a portion of a first news content being accessed by at least one

of multiple users, from a document server across at least a portion of a network to a news

server that is operable to crawl and aggregate news content from a plurality of news

sources, as recited in claim 19. The Examiner relies on col. 4, lines 29-31 and 34-40

MIYASAKA for allegedly disclosing "sending query data, in response to a portion of the first news content being accessed by at least one of the multiple users, from the document server across at least a portion of the network to a news server" (Office Action, p. 6). Applicants disagree with the Examiner's interpretation of MIYASAKA.

Col. 4, lines 29-40 of MIYASAKA were reproduced above. This section of MIYASAKA discloses that news server 5 obtains documents by subscription through network 1 from content provider 4 and stores these documents in content database 44. This section of MIYASAKA does not disclose or suggest that news server 5 sends query data in response to a portion of a news content being accessed by at least one of multiple users. Therefore, this section of MIYASAKA cannot disclose or suggest sending query data, in response to a portion of the first news content being accessed by at least one of the multiple users, from the document server across at least a portion of the network to a news server that is operable to crawl and aggregate news content from a plurality of news sources, as recited in claim 19.

The Examiner further relies on Fig. 2, elements 235 and 250, and col. 12, lines 46-67 of POLIZZI for allegedly disclosing "a crawl server (the second server) operable to crawl documents on server agents (other servers) by navigating the portal, the intranet, and the Internet, and to gather and download documents from the Internet (store information associated with the crawled documents)" (Office Action, p. 6). Applicants disagree with the Examiner's interpretation of POLIZZI.

Col. 10, lines 46-54 of POLIZZI, which describe element 235 of Fig. 2 were reproduced above. This section of POLIZZI discloses that element 235 is a repository of files. Element 235 is not a server. Furthermore, this section of POLIZZI does not

disclose or suggest sending query data in response to a portion of a news content being accessed. Therefore, this section of POLIZZI cannot disclose or suggest sending query data, in response to a portion of the first news content being accessed by at least one of the multiple users, from the document server across at least a portion of the network to a news server that is operable to crawl and aggregate news content from a plurality of news sources, as recited in claim 19.

Col. 12, lines 46-67 of POLIZZI, which describe element 250 of Fig. 2, were reproduced above. This section of POLIZZI discloses that crawl server 250 crawls the internet for documents and stores them in a database called an information source. This section also discloses that a single crawler can index a number of news sites to update the information source. This section of POLIZZI does not disclose or suggest sending query data in response to a portion of a news content being accessed. Therefore, this section of POLIZZI cannot disclose or suggest sending query data, in response to a portion of the first news content being accessed by at least one of the multiple users, from the document server across at least a portion of the network to a news server that is operable to crawl and aggregate news content from a plurality of news sources, as recited in claim 19.

Therefore, even if MIYASAKA were to be combined with POLIZZI, the combination would not disclose or suggest each of the features of claim 19. Further, even if for the sake of argument, the combination of MIYASAKA and POLIZZI could be fairly construed to disclose or suggest each of the features of claim 19, Applicants assert that the motivation to combine MIYASAKA and POLIZZI does not satisfy the requirements of 35 U.S.C. § 103.

For example, with regard to motivation, the Examiner alleges (Office Action, pp.

6-7):

> It would have been obvious to one of ordinary skill in the data processing art to modify Miyasaka's method of aggregating news content from multiple sources to incorporate Polizzi's method of crawling documents, thus enabling access to multiple computer systems to retrieve data and present them to an individual in a standardized and easy-to-learn format.

Applicants submit that the Examiner's allegation is merely a conclusory statement. Such conclusory statements have been repeatedly held to be insufficient for establishing a *prima facie* case of obviousness. In this respect, Applicant relies upon KSR International Co. v. Teleflex Inc., 550 U.S. _____ (April 30, 2007) (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)), where it was held that rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.

MIYASAKA discloses a network server that provides a customized newspaper to a recipient according to recipient profile preferences. A news server searches for and obtains documents from databases and other repositories (col. 4, lines 29-37 of MIYASAKA). POLIZZI discloses a crawl server that indexes a number of news sites to update an information source. Both MIYASAKA and POLIZZI disclose a single server that collects information from other sources (databases in MIYASAKA and news sites in POLIZZI). Neither MIYASAKA nor POLIZZI disclose sending query data, in response to a portion of the first news content being accessed by at least one of the multiple users, from a document server to a news server. The Examiner has not provided a reason as to why one of ordinary skill in the art would combine the servers from MIYASAKA and POLIZZI and send query data from the server of MIYASAKA to the server of POLIZZI

Applicants submit that for at least the foregoing reasons, a prima facie case of

obviousness with respect to claim 19 has not been established and that therefore claim 19 is patentable over MIYASAKA and POLIZZI, whether taken alone or in any reasonable combination. Accordingly, Applicants respectfully request that the rejection of claim 19 under 35 U.S.C. § 103(a) based on MIYASAKA and POLIZZI be reconsidered and withdrawn.

Claims 20, 21, and 24-28 depend from claim 19. Therefore, these claims are patentable over MIYASAKA and POLIZZI, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 19. Accordingly, Applicants respectfully request that the rejection of claims 20, 21, and 24-28 under 35 U.S.C. § 103(a) based on MIYASAKA and POLIZZI be reconsidered and withdrawn.

Independent claim 30 is directed to a system that includes a first server configured to store a locally created document with news content that contains embedded search queries, and send a search query that was embedded within the news content across at least a portion of a network to a second server, and the second server being configured to crawl a corpus of news documents hosted at a plurality of remote servers to obtain news content, search the news content based on the search query to obtain search results, and provide particular news content to the first server based on the search results, the first server being further configured to permit a plurality of users to access, from across the network, the locally created document with the news content and the particular news content received from the second server, where the first server, the second server, and the plurality of remote servers comprise different network devices that connect to the network. MIYASAKA and POLIZZI, whether taken alone or in any reasonable

combination, do not disclose or suggest this combination of features.

For example, MIYASAKA and POLIZZI do not disclose or suggest a first server configured to store a locally created document with news content that contains embedded search queries and send a search query that was embedded within the news content across at least a portion of a network to a second server, as recited in claim 30. The Examiner relies on Fig. 2B, element 44; Fig. 3, element 5; col. 4, lines 29-37; and col. 11, lines 15-22 of MIYASAKA for allegedly disclosing "a first server configured to store locally created news content and send a search query across at least a portion of a network to a second server" (Office Action, p. 8). Applicants submit that these sections, or any other section, of MIYASAKA does not disclose or suggest the above feature of claim 30.

Col. 4, lines 9-12 of MIYASAKA, which describe element 44 of Fig. 2B of MIYASAKA, were reproduced above. This section of MIYASAKA discloses that element 44 of MIYASAKA is a database. Element 44 of MIYASAKA does not disclose or suggest embedded search queries. Therefore, element 44 of MIYASAKA cannot disclose or suggest a first server configured to store a locally created document with news content that contains embedded search queries and send a search query that was embedded within the news content across at least a portion of a network to a second server, as recited in claim 30.

Col. 4, lines 29-40 of MIYASAKA, which describe element 5 of Fig. 3 of MIYASAKA, were reproduced above. This section of MIYASAKA discloses that element 5 of MIYASKA is a server that obtains documents from content provider 4 through a network. Element 5 of MIYASAKA does not disclose or suggest a server with a locally created document with news content and does not disclose or suggest embedded

search queries. Therefore, this section of MIYASAKA cannot disclose or suggest a first

server configured to store a locally created document with news content <u>that contains</u>

<u>embedded search queries</u> and send a search query that was embedded within news

content across at least a portion of a network to a second server, as recited in claim 30.

> Col. 11, lines 15-22 of MIYASAKA disclose:

> This content may be obtained very easily if the content itself is stored in content database 44.
> Alternatively or in addition, some content may reside elsewhere such as in a content server
> connected to network 1. In this situation, search requests may be submitted to the content server or
> it may be possible to service the search request using an index or other information structure
> immediately available to news server 5.

This section of MIYASAKA discloses that search requests may be submitted to the

content server or that a search request may be serviced using an index available locally to

news server 5. This section of MIYASAKA does not disclose a first server configured to

store a locally created document with news content <u>that contains embedded search</u>

<u>queries</u>. Therefore, this section of MIYASAKA also cannot disclose or suggest a first

server configured to store a locally created document with news content <u>that contains</u>

<u>embedded search queries</u> and send a search query that was embedded within the news

content across at least a portion of a network to a second server, as recited in claim 30.

POLIZZI does not overcome the deficiencies of MIYASAKA set forth above

with respect to claim 30.

For at least the foregoing reasons, Applicants submit that claim 30 is patentable

over MIYASAKA and POLIZZI, whether taken alone or in any reasonable combination.

Accordingly, Applicants respectfully request that that the rejection of claim 30 under 35

U.S.C. § 103(a) based on MIYASAKA and POLIZZI be reconsidered and withdrawn.

Claims 39 and 41 depend from claim 30. Therefore, these claims are patentable

over MIYASAKA and POLIZZI, whether taken alone or in any reasonable combination,

for at least the reasons set forth above with respect to claim 30. Accordingly, Applicants respectfully request that the rejection of claims 39 and 41 under 35 U.S.C. § 103(a) based on MIYASAKA and POLIZZI be reconsidered and withdrawn.

Independent claims 33 and 36 recite features similar to, yet possibly of different scope than, features recited above with respect to claim 30. Therefore, Applicants submit that claims 33 and 36 are patentable over MIYASAKA and POLIZZI, whether taken alone or in any reasonable combination, for at least reasons similar to reasons set forth above with respect to claim 30. Accordingly, Applicants respectfully request that that the rejection of claims 33 and 36 under 35 U.S.C. § 103(a) based on MIYASAKA and POLIZZI be reconsidered and withdrawn.

Claim 34 depends from claim 33. Therefore, this claim is patentable over MIYASAKA and POLIZZI, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 33. Accordingly, Applicants respectfully request that the rejection of claim 34 under 35 U.S.C. § 103(a) based on MIYASAKA and POLIZZI be reconsidered and withdrawn.

Claims 22 and 23 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over MIYASAKA in view of POLIZZI and further in view of STARZL. Applicants respectfully traverse this rejection.

Claims 22 and 23 depend from claim 19. Without acquiescing in the Examiner's rejection of claims 22 and 23, Applicants submit that STARZL does not overcome the deficiencies of MIYASAKA and POLIZZI set forth above with respect to claim 19. Therefore, Applicants submit that claims 22 and 23 are patentable over MIYASAKA, POLIZZI, and STARZL, whether taken alone or in any reasonable combination, for at

least the reasons set forth above with respect to claim 19. Accordingly, Applicants

respectfully request that the rejection of claims 22 and 23 under 35 U.S.C. § 103(a) based

on MIYASAKA, POLIZZI, and STARZL be reconsidered and withdrawn.

Claim 35 stands rejected under 35 U.S.C. § 103(a) as allegedly being

unpatentable over MIYASAKA in view of POLIZZI and further in view of BECK.

Applicants respectfully traverse this rejection.

Claim 35 depends from claim 33. Without acquiescing in the Examiner's

rejection of claim 35, Applicants submit that BECK does not overcome the deficiencies

of MIYASAKA and POLIZZI set forth above with respect to claim 33. Therefore,

Applicants submit that claim 35 is patentable over MIYASAKA, POLIZZI, and BECK,

whether taken alone or in any reasonable combination, for at least the reasons set forth

above with respect to claim 33. Accordingly, Applicants respectfully request that the

rejection of claim 35 under 35 U.S.C. § 103(a) based on MIYASAKA, POLIZZI, and

BECK be reconsidered and withdrawn.

In view of the foregoing amendments and remarks, Applicants respectfully

request the Examiner's reconsideration of this application, and the timely allowance of

the pending claims.

While the present application is believed to be in condition for allowance, should

the Examiner find some issue to remain unresolved, or should any new issues arise that

could be eliminated through discussions with Applicants' representative, then the

Examiner is invited to contact the undersigned by telephone to expedite prosecution of

the present application.

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To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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